

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

UNITED STATES OF AMERICA) DOCKET NO. 1:23-CR-14
)
) **NOTICE OF EXPERT WITNESSES**
) **AND WITNESSES WITH**
v.)
THOMAS DEWEY TAYLOR, JR.) **SPECIALIZED KNOWLEDGE**

Pursuant to Federal Rule of Criminal Procedure 16(a), the Government gives notice of its intent to offer Clay Allred, Michael Eldredge, and Mathew Simon as expert witnesses under Fed. R. Evid. 702.

I. Expert Disclosure of Clay Allred

Clay E. Allred is a Fingerprint Specialist with the Bureau of Alcohol, Tobacco, Firearms, and Explosives. Mr. Allred will testify about his training, qualifications, and experience consistent with his Curriculum Vitae, which is attached as Exhibit 1.

Mr. Allred will testify generally about how latent fingerprint examinations are performed, including the forensic comparison of friction ridge skin impressions, commonly known as fingerprints. He will testify about the latent fingerprint examination and analysis he performed on items of evidence in this case. Mr. Allred will give his opinion as to whether two friction ridge skin impressions originate from the same source, including his comparison of the known fingerprints of Defendant

against unknown latent prints developed from items of evidence during this investigation.

The basis for the conclusions and methodology used are reflected in Mr. Allred's Laboratory Report, which is attached as Exhibit 2. The Report and Curriculum Vitae, attached and having been provided to Defendant through discovery at Bates 753-756 and 809-812, are hereby incorporated by reference. *See* Fed. R. Crim. 16(a)(1)(G)(iv).

Mr. Allred has not testified as an expert witness in the area of fingerprint examination in the previous four years. He has not authored any publications in this field in the previous ten years.

a. Affirmation Required by Fed. R. Crim. 16(a)(1)(G)(v)

I, Clay E. Allred, have reviewed Section I of this filing and approve of its contents. I further incorporate by reference my Curriculum Vitae and Laboratory Report as Exhibits 1 and 2.

/s/ Clay Allred

Clay E. Allred

ATF

II. Expert Disclosure of Michael Eldredge

Michael A. Eldredge is a Senior Explosives Enforcement Officer with the Bureau of Alcohol, Tobacco, Firearms, and Explosives. Mr. Eldredge will testify

about his training, qualifications, and experience consistent with his Curriculum Vitae, which is attached as Exhibit 3.

Mr. Eldredge will testify generally about his knowledge of Title 26, United States Code, Chapter 53, alternatively known as the National Firearms Act or Federal Firearms Act. He will provide testimony about his examination of the destructive device recovered during this investigation. Mr. Eldredge will explain to the jury the device's design, construction, functioning, and effects. He will then opine that the device is an explosive/incendiary bomb, and meets the federal definition of a destructive device. Mr. Eldredge will testify that the device is regulated by Title 26 of the United States Code, and generally explain the registration requirements outlined in those statutes.

The basis for the conclusions and methodology used are reflected in Mr. Eldredge's Laboratory Report, which is attached as Exhibit 4. The Report and Curriculum Vitae, attached and having been provided to Defendant through discovery at Bates 750-751 and 813-816, are hereby incorporated by reference. *See* Fed. R. Crim. 16(a)(1)(G)(iv).

Mr. Eldredge authored the following publications in the previous ten years:

Grenade, Hand, Fragmentation Mark I—The first U.S standard defensive grenade, THE DETONATOR, November/December 2011, at 39.

The Legacy We Leave—A Public Service Safety Announcement, THE DETONATOR, May/June 2019, at 25.

Mr. Eldredge testified as an expert witness on one occasion in the previous four years:

United States v. James Leonard, case no. 1:21-CR-89, United States District Court – District of New Hampshire.

a. Affirmation Required by Fed. R. Crim. 16(a)(1)(G)(v)

I, Michael Eldredge, have reviewed Section II of this filing and approve of its contents. I further incorporate by reference my Curriculum Vitae and Laboratory Report as Exhibits 3 and 4.

/s/ Michael Eldredge
Michael Eldredge
ATF

III. Expert Disclosure of Mathew Simon

Mathew J. Simon is a Forensic Chemist with the Bureau of Alcohol, Tobacco, Firearms, and Explosives. Mr. Simon specializes in fire debris and explosives analysis. Mr. Simon will testify about his training, qualifications, and experience consistent with his Curriculum Vitae, which is attached as Exhibit 5.

Mr. Simon will testify about the submission of evidence to the ATF laboratory and how incendiary and explosive devices are forensically analyzed. He will educate the jury about the chemical analysis of unknown powders, liquids, and other

materials that are associated with incendiary or explosive devices. His testimony will include a brief description of instrumentation utilized in the laboratory along with the identification of the materials in this case. Mr. Simon will opine about the results of the examinations he performed in this case.

The basis for the conclusions and methodology used are reflected in Mr. Simon's Laboratory Reports, which are attached as Exhibits 6 and 7. The Reports and Curriculum Vitae, attached and having been provided to Defendant through discovery at Bates 746-749, 752, and 817-821, are hereby incorporated by reference. *See* Fed. R. Crim. 16(a)(1)(G)(iv).

Mr. Simon has not authored any publications in this field in the previous ten years. Mr. Simon has testified as an expert witness on three occasions in the previous four years:

United States v. Cecil Masters, case no. 19-CR-00012, United States District Court – Middle District of Tennessee;

United States v. Unique Brooks, case no. 21-CR-20159, United States District Court – Western District of Tennessee; and

United States v. Daniel Aikens, case no. 20-CR-00023, United States District Court – Western District of Louisiana.

a. Affirmation Required by Fed. R. Crim. 16(a)(1)(G)(v)

I, Mathew Simon, have reviewed Section III of this filing and approve of its contents. I further incorporate by reference my Curriculum Vitae and Laboratory Reports as Exhibits 5, 6, and 7.

/s/ Mathew Simon
Mathew Simon
ATF

IV. Request for Notice of Defense Experts

This Notice of Expert Witnesses also serves as the Government's request for timely disclosure of expert testimony that the defendant intends to present at trial pursuant to Fed. R. Evid. 702, 703, or 705. Specifically, the Government requests all reciprocal discovery authorized by Fed. R. Crim. 16(b).

Respectfully submitted this 27th day of March, 2023.

DENA J. KING
United States Attorney

/s/ Alex M. Scott
Alex M. Scott, Kansas Bar No. 25490
Assistant United States Attorney
100 Otis Street, Room 233
Asheville, North Carolina 28801
(828) 271-4661
alex.scott@usdoj.gov